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Attorneys for Defendant and Counterclaimant
Metropolitan Life Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JON PAUL SIMS, MICHAEL B.
BAGLEY, and JEFFREY A. PFEIFFER,
individually, and on behalf of all those
similarly situated,

Plaintiff,

vs.

METROPOLITAN LIFE INSURANCE
COMPANY AND DOES 1 THROUGH
100, inclusive,

Defendant.

Case No. 05 CV 2980 (TEH)

STIPULATION AND ~~[PROPOSED]~~
ORDER TO RE-SET HEARING DATE
ON PLAINTIFFS' MOTION TO STRIKE
COUNTERCLAIMS

Date: October 30, 2006
Time: 10:00 a.m.
Courtroom: 12, 19th Floor
Judge: Hon. Thelton E. Henderson

The parties, by and through their attorneys of record, hereby stipulate to continue the hearing date on Plaintiffs' Motion to Strike Counterclaims, currently noticed for October 30, 2006, to November 6, 2006. In compliance with Local Rule 7-3, Defendant's opposition to the Motion to Strike is due October 16, 2006 and Plaintiff's reply in support of the Motion to Strike is due October 23, 2006.

Dated: September 21, 2006

MORGAN, LEWIS & BOCKIUS LLP

By: *RD Eisen*
Rebecca D. Eisen
Attorneys for Defendant
METROPOLITAN LIFE INSURANCE
COMPANY

Dated: September ____, 2006

THE EDGAR LAW FIRM

By: _____
Donald S. Edgar
Jeremy R. Fietz
Attorneys for Plaintiffs
JON PAUL SIMS

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 28, 2006



Thelton E. Henderson
District Judge

1 The parties, by and through their attorneys of record, hereby stipulate to continue the
2 hearing date on Plaintiffs' Motion to Strike Counterclaims, currently noticed for October 30,
3 2006, to November 6, 2006. In compliance with Local Rule 7-3, Defendant's opposition to the
4 Motion to Strike is due October 16, 2006 and Plaintiff's reply in support of the Motion to Strike
5 is due October 23, 2006.

6
7 Dated: September __, 2006

MORGAN, LEWIS & BOCKIUS LLP

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9 By: _____

Rebecca D. Eisen
Attorneys for Defendant
METROPOLITAN LIFE INSURANCE
COMPANY

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12 Dated: September 26, 2006

THE EDGAR LAW FIRM

13
14 By: _____

Donald S. Edgar
Jeremy R. Fietz
Attorneys for Plaintiffs
JON PAUL SIMS

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18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19
20 Dated: September __, 2006

21 _____
Honorable Thelton E. Henderson
United States District Judge